

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: MALZAHN  
SERIAL NO.: 09/901,636

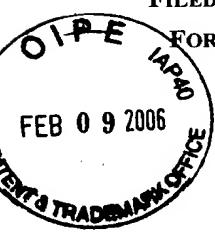
FILED: July 11, 2001

FOR: Device for determining the filling level of a filling  
material in a container

CONFIRMATION: 7902  
GROUP ART UNIT: 2856

EXAMINER: A. K. Jackson

ATTY. REFERENCE: MALZ3001/FJD



NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

COMMISSIONER OF PATENTS

P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated: **Aug. 9, 2005**  
of the Primary Examiner finally rejecting claims: **1 - 10 and 12**

The Appeal Fee is:

enclosed       \$500.  \$250.  
 not required (fee paid in prior appeal in this application).  
 requested to be charged to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

Small Entity Status is claimed.

The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

23364

Customer Number  
Phone: (703) 683-0500

DATE: Feb. 9, 2006

*Respectfully submitted,*

02/10/2006 10:00 AM 09/901,636  
Felix J. D'Ambrosio  
500.00 OP

Felix J. D'Ambrosio  
Attorney for Applicant  
Registration Number: 25,721